

CLERK, U. S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY W

Defendant H.J. Cole (“Cole”) answers the allegations pro se of Plaintiffs Julia Hubbard and Kayla Goedinghaus’ (collectively, “Plaintiffs”) Second Amended Complaint as follows:

**H.J. COLE'S ANSWER TO PLAINTIFFS' SECOND AMENDED COMPLAINT**

Defendant H.J. Cole hereby submits his answer to plaintiffs Julia Hubbard and Kayla Goedinghaus's (collectively, "Plaintiffs") Second Amended Complaint.<sup>1</sup> Mr. Cole responds to each of the numbered paragraphs in the Second Amended Complaint as follows:

1. Mr. Cole denies the allegations in paragraph 1 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 1 and on that basis denies them.
2. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 2 and on that basis denies them.
3. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 3 and on that basis denies them.
4. Mr. Cole denies the allegations in paragraph 4 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 4 and on that basis denies them.
5. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 5 and on that basis denies them.
6. Mr. Cole denies the allegations in paragraph 6 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 6, which also appear to state legal conclusions to which no response is required, and on that basis denies them.
7. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 7 and on that basis denies them.
8. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 8 and on that basis denies them.
9. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 9 and on that basis denies them.

10. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 10 and on that basis denies them.

11. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 11 and on that basis denies them.

12. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 12 and on that basis denies them.

13. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 13 and on that basis denies them.

14. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 14 and on that basis denies them.

15. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 15 and on that basis denies them.

16. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 16 and on that basis denies them.

17. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 17 and on that basis denies them.

18. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 18 and on that basis denies them.

19. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 19 and on that basis denies them.

20. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 20 and on that basis denies them.

21. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 21 and on that basis denies them.

22. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 22 and on that basis denies them.

23. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 23 and on that basis denies them.

24. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 24 and on that basis denies them.

25. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 25 and on that basis denies them.

26. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 26 and on that basis denies them.

27. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 27 and on that basis denies them.

28. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 28 and on that basis denies them.

29. Mr. Cole admits that he knows Trammell Crow and that he is a “philanthropist, and prominent member of the Dallas community.” Mr. Cole otherwise denies the allegations in paragraph 29 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 29 and on that basis denies them.

30. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 30 and on that basis denies them.

31. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 31 and on that basis denies them.

32. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 32 and on that basis denies them.

33. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 33 and on that basis denies them.

34. Mr. Cole denies the allegations in paragraph 34 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 34 and on that basis denies them.

35. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 35 and on that basis denies them.

36. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 36 and on that basis denies them.

37. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 37 and on that basis denies them.

38. Mr. Cole denies the allegations in paragraph 38 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 38 and on that basis denies them.

39. Mr. Cole denies the allegations in paragraph 39 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 39 and on that basis denies them.

40. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 40 and on that basis denies them.

41. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 41 and on that basis denies them.

42. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 42 and on that basis denies them.

43. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 43 and on that basis denies them.

44. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 44 and on that basis denies them.

45. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 45 and on that basis denies them.

46. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 46 and on that basis denies them.

47. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 47 and on that basis denies them.

48. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 48 and on that basis denies them.

49. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the information in paragraph 49 and on that basis denies them.

50. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 50 and on that basis denies them.

51. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 51 and on that basis denies them.

52. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 52, which also states a legal conclusion to which no response is required, and on that basis denies them.

53. Paragraph 53 sets forth a legal conclusion to which no response is required and it is therefore denied.

54. Paragraph 54 sets forth a legal conclusion to which no response is required and it is therefore denied.

55. Paragraph 55 sets forth a legal conclusion to which no response is required and it is therefore denied.

56. Paragraph 56 sets forth a legal conclusion to which no response is required and it is

therefore denied.

57. Mr. Cole denies the allegations in paragraph 57 to the extent they pertain to him. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 57, which also states a legal conclusion to which no response is required, and on that basis denies them.

58. Paragraph 58 sets forth a legal conclusion to which no response is required and it is therefore denied.

59. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 59 and on that basis denies them.

60. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 60 and on that basis denies them.

61. Mr. Cole agrees to the allegation in paragraph 61.

62. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 62 and on that basis denies them.

63. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 63 and on that basis denies them.

64. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 64 and on that basis denies them.

65. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 65 and on that basis denies them.

66. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 66 and on that basis denies them.

67. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 67 and on that basis denies them.

68. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 68 and on that basis denies them.

69. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 69 and on that basis denies them.

70. Mr. Cole resides in Princeton, TX and not Addison, TX in paragraph 70 and on that basis denies them.

71. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 71 and on that basis denies them.

72. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 72 and on that basis denies them.

73. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 73 and on that basis denies them.

74. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 74 and on that basis denies them.

75. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 75 and on that basis denies them.

76. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 76 and on that basis denies them.

77. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 77 and on that basis denies them.

78. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 78 and on that basis denies them.

79. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 79 and on that basis denies them.

80. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 80 and on that basis denies them.

81. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations



in paragraph 81 and on that basis denies them.

82. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 82 and on that basis denies them.

83. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 83 and on that basis denies them.

84. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 84 and on that basis denies them.

85. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 85 and on that basis denies them.

86. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 86 and on that basis denies them.

87. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 87 and on that basis denies them.

88. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 88 and on that basis denies them.

89. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 89 and on that basis denies them.

90. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 90 and on that basis denies them.

91. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 91 and on that basis denies them.

92. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 92 and on that basis denies them.

93. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 93 and on that basis denies them.

94. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 94 and on that basis denies them.

95. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 95 and on that basis denies them.

96. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 96 and on that basis denies them.

97. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 97 and on that basis denies them.

98. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 98 and on that basis denies them.

99. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 99 and on that basis denies them.

100. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 100 and on that basis denies them.

101. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 101 and on that basis denies them.

102. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 102 and on that basis denies them.

103. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 103 and on that basis denies them.

104. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 104 and on that basis denies them.

105. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 105 and on that basis denies them.

106. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 106 and on that basis denies them.

107. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 107 and on that basis denies them.

108. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 108 and on that basis denies them.

109. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 109 and on that basis denies them.

110. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 110 and on that basis denies them.

111. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 111 and on that basis denies them.

112. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 112 and on that basis denies them.

113. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 113 and on that basis denies them.

114. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 114 and on that basis denies them.

115. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 115 and on that basis denies them.

116. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 116 and on that basis denies them.

117. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 117 and on that basis denies them.

118. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 118 and on that basis denies them.

119. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 119 and on that basis denies them.

120. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 120 and on that basis denies them.

121. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 121 and on that basis denies them.

122. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 122 and on that basis denies them.

123. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 123 and on that basis denies them.

124. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 124 and on that basis denies them.

125. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 125 and on that basis denies them.

126. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 126 and on that basis denies them.

127. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 127 and on that basis denies them.

128. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 128 and on that basis denies them.

129. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 129 and on that basis denies them.

130. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 130 and on that basis denies them.

131. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 131 and on that basis denies them.

132. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 132 and on that basis denies them.

133. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 133 and on that basis denies them.

134. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 134 and on that basis denies them.

135. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 135 and on that basis denies them.

136. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 136 and on that basis denies them.

137. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 137 and on that basis denies them.

138. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 138 and on that basis denies them.

139. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 139 and on that basis denies them.

140. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 140 and on that basis denies them.

141. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 141 and on that basis denies them.

142. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 142 and on that basis denies them.

143. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 143 and on that basis denies them.

144. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 144 and on that basis denies them.

145. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 145 and on that basis denies them.

146. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 146 and on that basis denies them.

147. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 147 and on that basis denies them.

148. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 148 and on that basis denies them.

149. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 149 and on that basis denies them.

150. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 150 and on that basis denies them.

151. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 151 and on that basis denies them.

152. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 152 and on that basis denies them.

153. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 153 and on that basis denies them.

154. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 154 and on that basis denies them.

155. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 155 and on that basis denies them.

156. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 156 and on that basis denies them.

157. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 157 and on that basis denies them.

158. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 158 and on that basis denies them.

159. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 159 and on that basis denies them.

160. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 160 and on that basis denies them.

161. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 161 and on that basis denies them.

162. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 162 and on that basis denies them.

163. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 163 and on that basis denies them.

164. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 164 and on that basis denies them.

165. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 165 and on that basis denies them.

166. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 166 and on that basis denies them.

167. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 167 and on that basis denies them.

168. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 168 and on that basis denies them.

169. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 169 and on that basis denies them.

170. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 170 and on that basis denies them.

171. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 171 and on that basis denies them.

172. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 172 and on that basis denies them.

173. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 173 and on that basis denies them.

174. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 174 and on that basis denies them.

175. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 175 and on that basis denies them.

176. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 176 and on that basis denies them.

177. Mr. Cole denies the allegations in paragraph 177 to the extent they pertain to him.

178. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 178 and on that basis denies them.

179. Mr. Cole denies the allegations in paragraph 179 to the extent they pertain to him.

180. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 180 and on that basis denies them.

181. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 181 and on that basis denies them.

182. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other



allegations in paragraph 182 and on that basis denies them.

183. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 183 and on that basis denies them.

184. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 184 and on that basis denies them.

185. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 185 and on that basis denies them.

186. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 186 and on that basis denies them.

187. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 187 and on that basis denies them.

188. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 188 and on that basis denies them.

189. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 189 and on that basis denies them.

190. Mr. Cole admits to being the founder of H.J. Cole & Associates and denies the other allegations in paragraph 190 to the extent they pertain to him.

191. Mr. Cole denies the allegations in paragraph 191 to the extent they pertain to him.

192. Mr. Cole denies the allegations in paragraph 192 to the extent they pertain to him.

193. Mr. Cole denies the allegations in paragraph 193 to the extent they pertain to him.

194. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 194 and on that basis denies them.

195. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 195 and on that basis denies them.

196. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 196 and on that basis denies them.

197. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 197 and on that basis denies them.

198. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 198 and on that basis denies them.

199. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 199 and on that basis denies them.

200. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 200 and on that basis denies them.

201. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 201 and on that basis denies them.

202. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 202 and on that basis denies them.

203. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 203 and on that basis denies them.

204. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 204 and on that basis denies them.

205. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 205 and on that basis denies them.

206. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 206 and on that basis denies them.

207. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 207 and on that basis denies them.

208. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 208 and on that basis denies them.

209. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 209 and on that basis denies them.

210. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 210 and on that basis denies them.

211. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 211 and on that basis denies them.

212. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 212 and on that basis denies them.

213. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 213 and on that basis denies them.

214. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 214 and on that basis denies them.

215. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 215 and on that basis denies them.

216. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 216 and on that basis denies them.

217. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 217 and on that basis denies them.

218. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 218 and on that basis denies them.

219. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 219 and on that basis denies them.

220. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 220 and on that basis denies them.

221. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 221 and on that basis denies them.

222. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 222 and on that basis denies them.

223. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 223 and on that basis denies them.

224. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 224 and on that basis denies them.

225. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 225 and on that basis denies them.

226. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 226 and on that basis denies them.

227. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 227 and on that basis denies them.

228. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 228 and on that basis denies them.

229. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 229 and on that basis denies them.

230. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 230 and on that basis denies them.

231. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 231 and on that basis denies them.

232. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 232 and on that basis denies them.

233. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 233 and on that basis denies them.

234. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 234 and on that basis denies them.

235. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 235 and on that basis denies them.

236. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 236 and on that basis denies them.

237. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 237 and on that basis denies them.

238. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 238 and on that basis denies them.

239. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 239 and on that basis denies them.

240. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 240 and on that basis denies them.

241. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 241 and on that basis denies them.

242. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 242 and on that basis denies them.

243. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 243 and on that basis denies them.

244. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 244 and on that basis denies them.

245. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 245 and on that basis denies them.

246. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 246 and on that basis denies them.

247. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 247 and on that basis denies them.

248. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 248 and on that basis denies them.

249. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 249 and on that basis denies them.

250. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 250 and on that basis denies them.

251. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 251 and on that basis denies them.

252. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 252 and on that basis denies them.

253. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 253 and on that basis denies them.

254. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 254 and on that basis denies them.

255. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 255 and on that basis denies them.

256. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 256 and on that basis denies them.

257. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 257 and on that basis denies them.

258. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 258 and on that basis denies them.

259. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 259 and on that basis denies them.

260. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 260 and on that basis denies them.

261. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 261 and on that basis denies them.

262. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 262 and on that basis denies them.

263. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 263 and on that basis denies them.

264. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 264 and on that basis denies them.

265. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 265 and on that basis denies them.

266. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 266 and on that basis denies them.

267. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 267 and on that basis denies them.

268. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 268 and on that basis denies them.

269. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 269 and on that basis denies them.

270. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 270 and on that basis denies them.

271. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 271 and on that basis denies them.

272. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 272 and on that basis denies them.

273. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 273 and on that basis denies them.

274. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 274 and on that basis denies them.

275. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 275 and on that basis denies them.

276. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 276 and on that basis denies them.

277. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 277 and on that basis denies them.

278. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 278 and on that basis denies them.

279. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 279 and on that basis denies them.

280. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 280 and on that basis denies them.

281. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 281 and on that basis denies them.

282. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 282 and on that basis denies them.

283. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 283 and on that basis denies them.



284. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 284 and on that basis denies them.

285. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 285 and on that basis denies them.

286. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 286 and on that basis denies them.

287. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 287 and on that basis denies them.

288. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 288 and on that basis denies them.

289. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 289 and on that basis denies them.

290. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 290 and on that basis denies them.

291. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 291 and on that basis denies them.

292. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 292 and on that basis denies them.

293. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 293 and on that basis denies them.

294. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 294 and on that basis denies them.

295. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 295 and on that basis denies them.

296. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 296 and on that basis denies them.

297. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 297 and on that basis denies them.

298. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 298 and on that basis denies them.

299. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 299 and on that basis denies them.

300. Mr. Cole denies the allegations in paragraph 300 to the extent they pertain to him.

301. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 301 and on that basis denies them.

302. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 302 and on that basis denies them.

303. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 303 and on that basis denies them.

304. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 304 and on that basis denies them.

305. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 305 and on that basis denies them.

306. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 306 and on that basis denies them.

307. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 307 and on that basis denies them.

308. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 308 and on that basis denies them.

309. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 309 and on that basis denies them.

310. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 310 and on that basis denies them.

311. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 311 and on that basis denies them.

312. Paragraph 312 sets forth a legal conclusion to which no response is required and it is therefore denied.

313. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 313 and on that basis denies them.

314. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 314 and on that basis denies them.

315. Paragraph 315 sets forth a legal conclusion to which no response is required and it is therefore denied.

316. Paragraph 316 sets forth a legal conclusion to which no response is required and it is therefore denied.

317. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 317 and on that basis denies them.

318. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 318 and on that basis denies them.

319. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 319 and on that basis denies them.

320. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 320 and on that basis denies them.

321. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 321 and on that basis denies them.

322. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 322 and on that basis denies them.

323. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 323 and on that basis denies them.

324. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 324 and on that basis denies them.

325. Paragraph 325 sets forth a legal conclusion to which no response is required, and it is therefore denied.

326. Paragraph 326 sets forth a legal conclusion to which no response is required, and it is therefore denied.

327. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 327 and on that basis denies them.

328. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 328 and on that basis denies them.

329. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 329 and on that basis denies them.

330. Paragraph 330 sets forth a legal conclusion to which no response is required, and it is therefore denied.

331. Paragraph 331 sets forth a legal conclusion to which no response is required, and it is therefore denied.

332. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 332 and on that basis denies them.

333. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 333 and on that basis denies them.

334. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 334 and on that basis denies them.

335. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 335 and on that basis denies them.

336. Paragraph 336 sets forth a legal conclusion to which no response is required, and it is therefore denied.

337. Paragraph 337 sets forth a legal conclusion to which no response is required, and it is therefore denied.

338. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 338 and on that basis denies them.

339. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 339 and on that basis denies them.

340. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 340 and on that basis denies them.

341. Paragraph 341 sets forth a legal conclusion to which no response is required, and it is therefore denied.

342. Paragraph 342 sets forth a legal conclusion to which no response is required, and it is therefore denied.

343. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 343 and on that basis denies them.

344. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 344 and on that basis denies them.

345. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 345 and on that basis denies them.

346. Paragraph 346 sets forth a legal conclusion to which no response is required, and it is therefore denied.

347. Paragraph 347 sets forth a legal conclusion to which no response is required, and it is therefore denied.

348. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 348 and on that basis denies them.

349. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 349 and on that basis denies them.

350. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 350 and on that basis denies them.

351. Paragraph 351 sets forth a legal conclusion to which no response is required, and it is therefore denied.

352. Paragraph 352 sets forth a legal conclusion to which no response is required, and it is therefore denied.

353. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 353 and on that basis denies them.

354. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 354 and on that basis denies them.

355. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 355 and on that basis denies them.

356. Paragraph 356 sets forth a legal conclusion to which no response is required, and it is therefore denied.

357. Mr. Cole denies the allegations in paragraph 357 and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well.

358. Mr. Cole denies the allegations in paragraph 358 to the extent they pertain to him.

359. Mr. Cole denies the allegations in paragraph 359 to the extent they pertain to him.

360. Mr. Cole denies the allegations in paragraph 360 to the extent they pertain to him.

361. Mr. Cole denies the allegations in paragraph 361 and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well.

362. Paragraph 362 sets forth a legal conclusion to which no response is required, and it is therefore denied.

363. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 363 and on that basis denies them.

364. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 364 and on that basis denies them.

365. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 365 and on that basis denies them.

366. Paragraph 366 sets forth a legal conclusion to which no response is required, and it is therefore denied.

367. Paragraph 367 sets forth a legal conclusion to which no response is required, and it is therefore denied.

368. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 368 and on that basis denies them.

369. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 369 and on that basis denies them.

370. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 370 and on that basis denies them.

371. Paragraph 371 sets forth a legal conclusion to which no response is required, and it is therefore denied.

372. Paragraph 372 sets forth a legal conclusion to which no response is required, and it is therefore denied.

373. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations

in paragraph 373 and on that basis denies them.

374. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 374 and on that basis denies them.

375. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 375 and on that basis denies them.

376. Paragraph 376 sets forth a legal conclusion to which no response is required, and it is therefore denied.

377. Paragraph 377 sets forth a legal conclusion to which no response is required, and it is therefore denied.

378. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 378 and on that basis denies them.

379. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 379 and on that basis denies them.

380. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 380 and on that basis denies them.

381. Paragraph 381 sets forth a legal conclusion to which no response is required, and it is therefore denied.

382. Paragraph 382 sets forth a legal conclusion to which no response is required, and it is therefore denied.

383. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 383 and on that basis denies them.

384. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 384 and on that basis denies them.

385. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 385 and on that basis denies them.



386. Paragraph 386 sets forth a legal conclusion to which no response is required, and it is therefore denied.

387. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 387 and on that basis denies them.

388. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 388 and on that basis denies them.

389. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 389 and on that basis denies them.

390. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 390 and on that basis denies them.

391. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 390 and on that basis denies them.

392. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 392 and on that basis denies them.

393. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 393 and on that basis denies them.

394. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the other allegations in paragraph 394 and on that basis denies them.

395. Mr. Cole lacks sufficient knowledge and information as to the accuracy of the allegations in paragraph 395 and on that basis denies them.

396. Mr. Cole denies the allegations in paragraph 396 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

397. Mr. Cole denies the allegations in paragraph 397 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as

well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

398. Mr. Cole denies the allegations in paragraph 398 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

399. Mr. Cole denies the allegations in paragraph 399 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

400. Mr. Cole denies the allegations in paragraph 400 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

401. Mr. Cole denies the allegations in paragraph 401 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

402. Mr. Cole denies the allegations in paragraph 402 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

403. Mr. Cole denies the allegations in paragraph 403 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

404. Mr. Cole denies the allegations in paragraph 404 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

405. Mr. Cole denies the allegations in paragraph 405 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

406. Mr. Cole denies the allegations in paragraph 406 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

407. Mr. Cole denies the allegations in paragraph 407 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

408. Mr. Cole denies the allegations in paragraph 408 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

409. Mr. Cole denies the allegations in paragraph 409 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

410. Mr. Cole denies the allegations in paragraph 410 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

411. Mr. Cole denies the allegations in paragraph 411 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

412. Mr. Cole denies the allegations in paragraph 412 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

413. Mr. Cole denies the allegations in paragraph 413 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

414. Mr. Cole denies the allegations in paragraph 414 to the extent they pertain to him and, to

the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

415. Mr. Cole denies the allegations in paragraph 415 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

416. Mr. Cole denies the allegations in paragraph 416 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

417. Mr. Cole denies the allegations in paragraph 417 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

418. Mr. Cole denies the allegations in paragraph 418 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

419. Mr. Cole denies the allegations in paragraph 419 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

420. Mr. Cole denies the allegations in paragraph 420 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

421. Mr. Cole denies the allegations in paragraph 421 to the extent they pertain to him and, to the extent they set forth a legal conclusion to which no response is required, denies them on that basis as well. Mr. Cole further denies that Plaintiffs have filed any RICO statement in this action.

### **AFFIRMATIVE DEFENSES**

Without assuming the burden of proof as to the following, other than any burden imposed on it by law, Mr. Cole alleges his affirmative defenses as follows:

#### **FIRST AFFIRMATIVE DEFENSE**

(Statute of Limitations)

All or some of the claims set forth in the Second Amended Complaint are barred by the applicable statute of limitations, including, but not limited to, the four-year statute of limitations that Civil RICO actions are subject to. See Agency Holding Corp. v. Malley-Duff Assoc., Inc., 483 U.S. 143, 156 (1987).

Additionally, Mr. Cole was non-suited by Plaintiffs on January 09, 2024, in Document 242. The shear filing of said non-suit eliminated Plaintiffs' ability to relate any activity back to the original filing of this case. By bringing, Mr. Cole back into the matter in the 2<sup>nd</sup> Amended Petition filed on March 21, 2024, in Document 92 would require any activities complained about in Plaintiffs 2<sup>nd</sup> Amended Petition to have occurred on or after March 21, 2020, for which Mr. Cole denies any all allegations specifically before or after said date.

#### **SECOND AFFIRMATIVE DEFENSE**

(*In Pari Delicto*)

Plaintiffs' claims are barred in whole or in part by the doctrine of *in pari delicto* because, to the extent any of the alleged conduct occurred, Plaintiffs were knowing and active participants in it and received benefits therefrom. Application of the doctrine here does not interfere with the policy goals of the relevant federal statutes.

#### **THIRD AFFIRMATIVE DEFENSE**

(Contributory or Comparative Fault)

Plaintiffs' damages, if any, were caused, in whole or in part, by the acts or omissions of Plaintiffs or third parties over which Mr. Cole has no control and for which Mr. Cole is not legally

responsible. Plaintiffs' recovery, if any, should be barred or proportionately reduced by Plaintiffs' and third parties' fault or degree of responsibility.

#### **FOURTH AFFIRMATIVE DEFENSE**

(Damages Too Speculative and Remote)

Plaintiffs' claims are barred, in whole or in part, because the damages Plaintiffs seek are too speculative and remote and because of the impossibility of the ascertainment and allocation of such alleged damages.

#### **FIFTH AFFIRMATIVE DEFENSE**

(Failure to Join Indispensable Parties, Misjoinder of Parties and/or Wrong Parties)

Plaintiffs' claims are barred, in whole or in part, because they failed to join indispensable parties to this litigation, improperly joined parties and/or named the wrong parties in the Second Amended Complaint.

#### **SIXTH AFFIRMATIVE DEFENSE**

(Avoidable Consequences and/or Failure to Mitigate)

Plaintiffs' claims are barred, in whole or in part, or, at a minimum, recovery should be reduced pursuant to the doctrines of avoidable consequences and/or failure to mitigate. To the extent Plaintiffs may have suffered any damages, they were required to take reasonable and timely actions to limit their losses which they failed to do.

#### **SEVENTH AFFIRMATIVE DEFENSE**

(Offset or Setoff)

If any loss, injury, damages, or detriment occurred as alleged in the Second Amended Complaint, Mr. Cole is entitled to an offset or setoff for the amounts Plaintiffs recover from any other person for such loss, injury, damages, or detriment including, but not limited to, amounts recovered from any settling party.

**EIGHTH AFFIRMATIVE DEFENSE**

(Res Judicata and Collateral Estoppel)

Plaintiffs' claims are barred, in whole or in part, by the doctrines of res judicata, transactional res judicata, and/or collateral estoppel based on prior litigation between Plaintiffs and some of the Defendants because their present claims arise out of the same transaction or occurrence that was the subject matter of claims in prior litigation and/or involved the same aggregate of operative facts.

**RESERVATION OF RIGHTS**

Mr. Cole reserves the right to assert such additional affirmative defenses as may be necessary based on its ongoing investigation of the Second Amended Complaint and the claims asserted by Plaintiffs therein.

**PRAYER**

WHEREFORE, Mr. Cole prays for judgment as follows:

1. That Plaintiffs take nothing by reason of their Second Amended Complaint.
2. That judgment be entered in favor of Mr. Cole on the Second Amended Complaint.
3. That the Court award Mr. Cole his costs incurred in this action; and
4. That the Court award such other relief to Mr. Cole as it may deem just and proper.

DATED: July 9, 2024

Respectfully submitted,

H.J. Cole  
1302 Wrangler Way  
Princeton, TX 75407  
[hjcole@msn.com](mailto:hjcole@msn.com)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing "H.J. Cole's Answer to the Second Amended Complaint" was served on the United States District Court for the Western District of Texas, Clerk of Court, Philip J. Devlin, U.S. District Clerk's Office, 262 West Neuva St, Room 1-400, San Antonio, TX 78207 as well as the plaintiff's attorney of record Matthew Schmidt, Schmidt Law Corporation, 116A Main Street, Tiburon, CA 94920 both of which were sent via USPS Certified Mail on July 9, 2024



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H.J. Cole

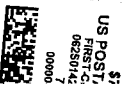


HJ Cole  
1302 W. Langley Way  
Pinecrest, TX 75407

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PLACE STICKER ATTACHED TO THE RIGHT  
OF THE RETURN ADDRESS, FOLLOWING THE LINE  
**CERTIFIED MAIL**



**RECEIVED**

JUL 15 2024  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
/DEPUTY CLERK

Mr. Philip T Devlin  
Clerk of Court  
Western District of Texas  
262 West Nevada St  
Room 1-400  
San Antonio, TX 78207

(CV-0)

U.S. MARSHALS  
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JUL 15 2024

SAN ANTONIO, TX  
ENFORCEMENT SECTION